

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



June 25, 1993

ALL COUNTY LETTER NO. 93-45

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: PUBLIC LAW 103-11; FOOD STAMP REQUIREMENTS ON INDIAN  
RESERVATIONS: DELAYREFERENCES: ACL 93-14, DATED FEBRUARY 24, 1993  
ERRATA TO ACL 93-14

## REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

This letter is to provide the County Welfare Departments (CWDs) with instructions to suspend the implementation of Section 63-505.215 which was effective May 1, 1993. This provision exempts households residing on Indian reservations from monthly reporting and retrospective budgeting.

While the Food and Nutrition Service had directed the State to implement this provision, the subsequent enactment of Public Law 103-11 has changed this directive. The Congressional action delays the implementation date of Section 63-505.215 until January 31, 1994.

The CWDs, therefore, are instructed to rescind the implementation of the Indian reservation nonmonthly reporting provision until January 31, 1994. This Congressional requirement to delay implementation of this provision will be provided as a handbook addition at Section 63-505.215 of the Manual of Policy & Procedures.

If you have any questions, please contact Nancy Yee, Food Stamp Program Bureau at (916) 654-1065.

MICHAEL C. GENEST  
Deputy Director  
Welfare Programs Division

cc: CWDA

## DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



June 29, 1993

<u>Reason for this Transmittal</u>	
<input type="checkbox"/>	State Law Change
<input type="checkbox"/>	Federal Law or Regulation Change
<input type="checkbox"/>	Court Order or Settlement Agreement
<input checked="" type="checkbox"/>	Clarification Requested by One or More Counties
<input checked="" type="checkbox"/>	Initiated by CDSS

ALL-COUNTY LETTER NO. 93-46

TO: ALL COUNTY WELFARE DIRECTORS  
ATTENTION: FOOD STAMP COORDINATORS

SUBJECT: FOOD STAMP EMPLOYMENT AND TRAINING (FSET) PROGRAM  
CONCILIATION NOTICES AND POLICY CLARIFICATION

The purpose of this letter is to transmit reproducible copies of notices to implement FSET conciliation requirements. Also, illustrations and instructions have been attached to clarify conciliation time frames and the application of participant reimbursement requirements within conciliation.

The Notice of Participation Problem [NA 812, (5/93)] identifies the nonparticipation and informs the individual of the good cause determination process. The Notice of No Good Cause Determination and Conciliation [NA 813, (7/93)] specifies that the participant has been determined to have no good cause for the noncompliance and describes the actions which the participant must take to successfully conciliate. County-developed substitutes for these notices may be used with California Department of Social Services (CDSS) approval. Additional camera-ready copies of the conciliation forms can be obtained by calling CDSS Forms Management at (916) 657-1907.

Translated forms are issued monthly to County Forms Coordinators by means of CDSS Language Services Bureau Letters. Camera-ready copies of the translated forms can be ordered from the Language Services Bureau by calling (916) 654-1282. Counties requiring forms translated into languages other than those provided by the CDSS may translate them themselves or have them prepared by an outside source.

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If you have questions regarding this letter, please contact your Employment Operations Analyst at (916) 654-1462.

A handwritten signature in black ink, appearing to read "Michael C. Genest". The signature is fluid and cursive, with a large, stylized "S" at the end.

MICHAEL C. GENEST  
Deputy Director  
Welfare Programs Division

Attachments

c: CWDA

## FSET CONCILIATION

The following summary of conciliation requirements and example illustrating their implementation is provided to assist counties as they administer the FSET conciliation process.

Conciliation begins on the first working day following the county's discovery of the noncompliance and shall not exceed 30 calendar days. The county issues the NA 812 to determine whether good cause existed for the noncompliance. The NA 812 must be issued within four working days of the beginning of conciliation. The registrant has six working days to submit good cause evidence. Otherwise, the county must make a cause determination, based on available evidence, on the sixth working day following issuance of the NA 812.

If a determination of no good cause is made, the county has three working days to issue the NA 813 to inform the registrant of the need to conciliate. The activity noted on the NA 813 must be one which can be accomplished by the end of the 30 calendar days. If compliance is not achieved, the Notice of Disqualification must be issued on the 30th day. If this day falls on a weekend or holiday, the notice shall be issued on the first working day following the end of conciliation. If the registrant complies before the start of the sanction the sanction is canceled.

### Example:

A registrant's noncompliance is discovered on May 26.  
Conciliation begins on May 27 and ends June 25.

The first activity in conciliation is to issue the NA 812. The notice is sent on June 2, the final day available for its mailing. The next activity is to determine whether good cause existed for the noncompliance. The registrant, in this example, does not contact the county and a cause determination is made on June 10, the sixth working day following issuance of the NA 812. A determination of no good cause is made and the county proceeds with the remaining steps of conciliation.

On June 15, which is the third working day following the cause determination, the county mails the NA 813. The notice informs the registrant that he has until June 25 to perform a verifiable act of compliance for conciliation to be considered successful. In this example, no compliance is achieved by the end of the 30 calendar days. On June 25, the final day of conciliation, the county issues the Notice of Disqualification [DFA 377.10 (7/89)] with the period of disqualification to begin August 1.

- Q. Is a participant who is issued an advance for transportation costs and subsequently fails to comply with FSET requirements, eligible for payment of transportation costs incurred within conciliation?
- A. Regulations at MPP Sections 63-407.83 and 63-407.831 specify that participants may be reimbursed for transportation costs up to \$25.00 per month provided such costs are reasonably necessary and directly related to program participation. These regulations apply to those participating in the FSET conciliation process. Consequently, a participant who is advanced the maximum allowable transportation funds, whether in cash or in kind, and who subsequently fails to comply, shall not be entitled to payment for additional transportation costs incurred during the remainder of the month in which the advance is received. The participant would, however, be entitled to payment for transportation needed during that portion of conciliation which extends into the month following issuance of the advance.

For example, if conciliation begins on May 17 and a \$25.00 bus pass was issued at the beginning of May, the participant would be eligible only for payment of transportation costs needed to conciliate after May 30 and prior to June 17.

Participants provided bus tokens prior to conciliation shall be entitled to additional tokens only if: 1) the previously issued tokens have been used and transportation is still needed to successfully conciliate; and 2) the additional tokens, when combined with tokens previously issued for the month, do not exceed the \$25.00 limit.

# FOOD STAMP EMPLOYMENT AND TRAINING PROGRAM (FSET)

## NOTICE OF PARTICIPATION PROBLEM

ISSUE DATE	
CASE NAME:	CASE NUMBER:
WORKER NAME:	WORKER PHONE NO.:

If you have any questions, please call your caseworker.

TO: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

There is a problem with your participation in the Food Stamp Employment and Training (FSET) Program.

### HERE'S THE PROBLEM:

- ☐ You did not participate in \_\_\_\_\_.
- ☐ You did not complete job search worksheets for the period: \_\_\_\_\_ through \_\_\_\_\_.

### WHAT HAPPENS NEXT?

If you think you had a good reason for not doing what FSET requires, you must contact your case worker and explain your reasons for not participating. You can write or call or make an appointment to see your case worker. You must share any good reasons you have for not participating by \_\_\_\_\_. If you do not contact your case worker, the county will decide whether you had a good reason for not participating. The county will use information that is available.

### TRANSPORTATION AND CHILD CARE MAY BE AVAILABLE IF YOU NEED THEM TO HELP YOU EXPLAIN WHY YOU DID NOT DO WHAT FSET REQUIRES.

If you need transportation or child care please call your case worker.

### WHAT HAPPENS IF YOU HAVE A GOOD REASON?

If you have a good reason for not participating, Food Stamp penalties will not be applied to you or your household. If your good reason does not keep you from participating, we will work with you so that you are able to do what FSET requires.

### WHAT HAPPENS IF YOU DO NOT HAVE A GOOD REASON?

If the county decides that you did not have a good reason for not participating, you can keep your Food Stamps from being stopped by \_\_\_\_\_. You will have until \_\_\_\_\_ to begin participating. This date is 30 days from the date we found the problem with your participation in FSET.

### WHAT HAPPENS IF YOU DO NOT BEGIN PARTICIPATING?

If the county decides you did not have a good reason for not participating and you do not begin to participate during the time allowed, either you or your household will not get Food Stamps for two months. You will get a notice explaining how you can get your Food Stamps back sooner by doing what FSET requires.

These Rules Apply. You can review them with your case worker. MPP 63-407.2, 63-407.5 and 63-407.8.

**FOOD STAMP EMPLOYMENT AND  
TRAINING PROGRAM (FSET)  
NOTICE OF NO GOOD CAUSE  
DETERMINATION AND CONCILIATION**

ISSUE DATE: _____	
CASE NAME: _____	CASE NUMBER: _____
WORKER NAME: _____	WORKER PHONE NO.: _____

If you have any questions, please call your caseworker.

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Starting \_\_\_\_\_, you have 30 calendar days to begin participating in the Food Stamp Employment and Training (FSET) Program. Otherwise, either you or your household will not get Food Stamps for up to 2 months.

**HERE'S WHY:**

On \_\_\_\_\_, we decided you did not have a good reason for:

- ☐ not participating in \_\_\_\_\_.
- ☐ not completing job search worksheets for the period \_\_\_\_\_ through \_\_\_\_\_.

**WHAT HAPPENS NEXT?**

You must begin to participate in \_\_\_\_\_. You have until \_\_\_\_\_ to begin participating. We will also use any information you give us which you believe shows you had a good reason for not doing what FSET requires. You must give us this information by \_\_\_\_\_.

**TRANSPORTATION AND CHILD CARE MAY BE AVAILABLE IF YOU NEED  
THEM TO HELP YOU PARTICIPATE IN FSET.**

If you need help with transportation or child care, please call your case worker.

**WHAT HAPPENS IF YOU DO NOT BEGIN PARTICIPATING?**

If you do not begin to participate during the time allowed, either you or your household will not get Food Stamps for two months. You will get a notice explaining how you can get your Food Stamps back sooner by doing what FSET requires.

These Rules Apply. You can review them with your case worker. MPP 63-407.2, 63-407.5 and 63-407.8.